

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

TAVARUS MOSELY,

PETITIONER

V.

NO. 1:07CV006-M-D

WILLIAM C. JARVIS, et al.,

RESPONDENTS

**ORDER OVERRULING OBJECTIONS and ADOPTING REPORT AND
RECOMMENDATION**

Petitioner, an inmate proceeding *pro se*, files this matter pursuant to 28 U.S.C. § 2254. On June 26, 2008, Magistrate Judge Jerry A. Davis recommended that this matter be dismissed with prejudice finding that Petitioner's claims are barred by the doctrine of procedural default. *See* 28 U.S.C. § 2254(b)(1). On August 18, 2008, Petitioner filed Objections to the Report and Recommendation.

The court finds that Petitioner's arguments are not well-taken and that the objections should be overruled for the reasons stated in the Report and Recommendation, which the court approves and adopts as its opinion.

THEREFORE, it is hereby ORDERED that

1) Petitioner's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

2) the Report and Recommendation is APPROVED and ADOPTED as the opinion of this court;

3) the claims are DISMISSED with prejudice;

4) Petitioner's motion for time (docket entry 16) is MOOT; and

5) this matter is CLOSED..

SO ORDERED, this the 20th day of October, 2008.

/s/ MICHAEL P. MILLS

CHIEF JUDGE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF MISSISSIPPI